

ORIGINAL



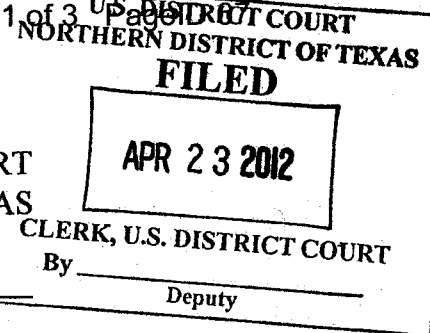
FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FT. WORTH DIVISION

DEPARTMENT OF THE TREASURY
Federal Law Enforcement Agencies 2012 JUN 19 PM 3: 39
PROCESS RECEIPT AND RETURN

Plaintiff United States of America		Court Case Number 4:12-CR-036-A		CLERK OF COURT	
Defendants DOMINGO CASTELLON		Type of Process Preliminary Order of Forfeiture			
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE One Kingston DT101 G2 thumb drive				
	ADDRESS (Street or RFD, Apartment No., City, State and Zip Code)				
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW			NUMBER OF PROCESS TO BE SERVED IN THIS CASE	1	
Diane M. Kozub, AUSA Burnett Plaza, Suite 1700 801 Cherry St., Unit #4 Ft. Worth, Texas			NUMBER OF PARTIES TO BE SERVED IN THIS CASE		
			CHECK BOX IF SERVICE IS ON USA		
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Includes Business and Alternate Addresses, Telephone Numbers, and Estimated Times Available for Service) Arrest item a. on the Preliminary Order of Forfeiture, One Kingston DT 101 G2 thumb drive, by taking into your possession for safe custody pending Final Order of Forfeiture. Asset ID #12-ICE-000626 Case #DA07QS12DA0013					
Signature of Attorney or other Originator requesting service on behalf of <i>Linda Cook</i> Linda Cook for Diane M. Kozub			Telephone No. 817-252-5200	Date 4/27/2012	
SIGNATURE AND DATE OF PERSON ACCEPTING PROCESS					
SPACE BELOW FOR USE OF TREASURY LAW ENFORCEMENT AGENCY					
if acknowledge receipt for the total number of process indicated	District of Origin No.	District to Serve No.	SIGNATURE OF AUTHORIZED TREASURY AGENCY OFFICER <i>R. Plado</i>		DATE 6/11/12
I HEREBY CERTIFY AND RETURN THAT I <input checked="" type="checkbox"/> PERSONALLY SERVED, <input type="checkbox"/> HAVE LEGAL EVIDENCE OF SERVICE, <input type="checkbox"/> HAVE EXECUTED AS SHOWN IN "REMARKS, THE PROCESS DESCRIBED ON THE INDIVIDUAL, COMPANY, CORPORATION, ETC., AT THE ADDRESS SHOWN ABOVE OR ON THE ADDRESS INSERTED BELOW.					
<input type="checkbox"/> I HEREBY CERTIFY AND RETURN THAT I AM UNABLE TO LOCATE THE INDIVIDUAL, COMPANY, CORPORATION, ETC NAMED ABOVE					
NAME & TITLE OF INDIVIDUAL SERVED IF NOT SHOWN ABOVE:			<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of above		
ADDRESS: (Complete only if different than shown above)			DATE OF SERVICE 6-11-12	TIME OF SERVICE 11:55	10 AM <input type="checkbox"/> PM
			SIGNATURE, TITLE AND TREASURY AGENCY <i>R. Plado, Sp. HS</i>		
REMARKS: <i>Item placed under sz # 2012-5501-000340-01</i>					

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



UNITED STATES OF AMERICA

§

v.

§

No. 4:12-CR-036-A

§

DOMINGO CASTELLON

(1)

§

§

PRELIMINARY ORDER OF FORFEITURE

Pending before the Court is the government's motion for preliminary order of forfeiture. After review of the motion, the Court concludes that it should be and is hereby GRANTED.

In the information filed in this case on February 21, 2012, the government gave notice that it would seek forfeiture of certain property from defendant Domingo Castellon ("the defendant") based on his conviction on the information and pursuant to 18 U.S.C. § 2253. The defendant pleaded guilty to the information and admitted sufficient facts in his factual resume to describe how the property was used or intended to be used to commit the offense in the information. As a result of the defendant's guilty plea and his factual resume, the Court has determined that the government established the requisite nexus between the property and the offense alleged in the information and that the property is subject to forfeiture to the United States pursuant to 18 U.S.C. § 2253. Therefore, the defendant's interest in the following property is hereby condemned and forfeited to the government subject to the provisions of 21 U.S.C. § 853(n):

- a. One Kingston DT 101 G2 thumb drive; and
- b. One Dell desktop CPU, model number OPTGX520 with no serial number.

Further, pursuant to 21 U.S.C. § 853(g) and Fed.R. Crim.P. 32.2, the property shall be seized by the Department of Homeland Security, Immigration and Customs Enforcement (or its designee) and held in its secure custody and control pending a final order of forfeiture. Additionally, in accordance with 21 U.S.C. § 853(n)(1) and Fed. R. Crim. P. 32.2(b)(6), the attorney general of the United States (or his designee) shall post notice of this preliminary order of forfeiture on an official government internet site (www.forfeiture.gov) for at least thirty (30) consecutive days informing the public of the government's intent to dispose of the property. The notice shall declare that any person, other than the defendant, having or claiming a legal interest in the property must file a petition with the Court no later than sixty (60) days after the first day of the posting of the notice and serve a copy thereof on Aisha Saleem, assistant United States attorney and/or Diane M. Kozub, assistant United States attorney, United States Attorney's Office, Northern District of Texas, Burnett Plaza, Suite 1700, 801 Cherry St., Unit #4, Ft. Worth, Texas 76102-6882. This notice shall state that the petition must demand a hearing to adjudicate the validity of the petitioner's alleged interest in the property; shall be signed by the petitioner under penalty of perjury; and shall set forth the nature and extent of the petitioner's right, title, or interest in the property, the time and circumstances of the

petitioner's acquisition of the right, title, or interest in the property, and any additional facts supporting the petitioner's claim and the relief sought. The government, in addition to posting notice on the government's forfeiture site, shall send written notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture. Such written notice shall be by means reasonably calculated to reach the person. Pursuant to U.S.C. 21 § 853(n)(2), any person receiving such written notice must file a petition with the Court in the manner and with the contents set out above within thirty (30) days of receipt of the written notice.

Further, pursuant to Fed. R. Crim. P. 32.2(b), the government may apply to the Court to conduct any discovery that the Court considers proper to help identify, locate, or dispose of the property should the circumstances present themselves and that, upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to 21 U.S.C. § 853(n) and Fed. R. Crim. P. 32.2(c) in which all interests will be addressed.

SIGNED April 23, 2012.



JOHN MCBRYDE
UNITED STATES DISTRICT JUDGE